

(ORDER LIST: 537 U.S.)

MONDAY, NOVEMBER 4, 2002

APPEAL -- SUMMARY DISPOSITION

02-200 O'LEAR, PAT, ET AL. V. MILLER, CANDICE, ET AL.

The judgment is affirmed. Justice Stevens and Justice Breyer would note probable jurisdiction and set the case for oral argument.

ORDERS IN PENDING CASES

02M28 SHERRILL, RAY S. V. HOLMES-TUTTLE FORD

02M29 MOORE, GERALD M. vs. AZ DEPT. OF TRANSP., ET AL.

02M30 WILLIAMS, CHRISTOPHER K. V. UNITED STATES

02M31 HERZOG, DONALD V. UNITED STATES

02M33 BECK, TERRY LEE V. CURTIS, WARDEN

The motions to direct the Clerk to file petitions for writs of certiorari out-of-time are denied.

02M32 WALDROP, JERRY M. V. DeKALB CTY. BOARD OF EDUCATION

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time under Rule 14.5 is denied.

01-593 ) DOLE FOOD COMPANY, ET AL. V. PATRICKSON, GERARDO D.

)  
01-594 ) DEAD SEA BROMINE CO., LTD. V. PATRICKSON, GERARDO D.

01-1418 ARCHER, A. ELLIOTT, ET UX. V. WARNER, ARLENE L.

01-1437 ) BRANCH, BEATRICE, ET AL. V. SMITH, JOHN R., ET AL.  
)  
01-1596 ) SMITH, JOHN ROBERT, ET AL. V. BRANCH, BEATRICE, ET AL.

The motions of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument are granted.

02-299 ENTERGY LOUISIANA, INC. V. LOUISIANA PUBLIC SERV. COMM.

The Solicitor General is invited to file a brief in this case expressing the views of the United States.

02-571 PATTERSON, EBONY, ET AL. V. BOLLINGER, LEE, ET AL.

The motion of petitioners Ebony Patterson, et al. to expedite consideration of the petition for a writ of certiorari before judgment is denied.

#### **CERTIORARI GRANTED**

01-1806 RYAN, ATT'Y GEN. OF IL V. TELEMARKETING ASSOCIATES

The petition for a writ of certiorari is granted.

02-69 ROELL, JOSEPH C., ET AL. V. WITHROW, JON MICHAEL

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted.

02-271 DOW CHEMICAL COMPANY, ET AL. V. STEPHENSON, DANIEL, ET AL.

The motion of Product Liability Advisory Council for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is granted. Justice Stevens took no part in the consideration or decision of this motion and this petition.

01-10873) NGUYEN, KHANH PHUONG V. UNITED STATES, ET AL.  
)  
02-5034 ) PHAN, TUYET MAI THI V. UNITED STATES

The motions of petitioners for leave to proceed  
*in forma pauperis* and the petitions for writs of  
certiorari are granted. These cases are consolidated  
and a total of one hour is allotted for oral argument.

**CERTIORARI DENIED**

01-1317 ATT'Y GEN. OF CANADA vs. R. J. REYNOLDS, ET AL.  
01-1744 HUMBOLDT CTY., ET AL. V. BURTON, MOLLY, ET AL.  
01-10510 LEE, DANIEL L. V. UNITED STATES  
01-10996 HALL, SAMUEL V. UNITED STATES  
01-11006 VALUCK, WILLIAM M. V. UNITED STATES  
02-15 SHELTON, GREGORY P., ET AL. V. CONSUMER PRODUCT SAFETY COMM  
02-70 ROE, WARDEN V. FERNANDEZ, JOAQUIN LESO  
02-138 CAMPBELL, LARRY A. V. LYON, JOHN W.  
02-168 FOUSSELL, DUDLEY V. PARKER DRILLING, ET AL.  
02-177 ALDRIDGE, JAMES R., ET AL. V. GOODYEAR TIRE & RUBBER CO.  
02-189 MITSUBISHI HEAVY INDUSTRIES V. CANTUBA, ANGELINA, ET AL.  
02-206 CONERY, WILLIAM J. V. NICCOLLAI, JOHN, ETC.  
02-267 MORGAN, CHRISTOPHER A. V. ROBINSON, JOHN, ETC., ET AL.  
02-273 SPRINT CORP., ETC., ET AL. V. GAGNON, WILLIAM E.  
02-279 SAKS FIFTH AVENUE, ET AL. V. CASHMERE & CAMEL HAIR MFGS.  
02-291 SUMMIT FINANCIAL HOLDINGS V. CONTINENTAL LAWYERS TITLE  
02-292 OULTON, RICHARD J., ET UX. V. WYNDHAM FOUNDATION, INC.  
02-293 WILHELM, EDWARD V. BOGGS, DEPUTY SHERIFF  
02-298 CARMENA, RICHARD, ET AL. V. GEORGIA-PACIFIC CORPORATION

02-302 BALLON, JOEL B. V. WESTVIEW ZONING HEARING BD.

02-307 WEDDELL, ROLLAND P. V. NEVADA

02-308 MARINO, NICK V. KENOFF & MACHTINGER

02-310 JACOBAZZI, PAMELA V. ILLINOIS

02-314 GRAY, LINDA V. GENLYTE THOMAS GROUP LLC

02-317 DUBIN, GARY V., ET AL. V. BANK OF HAWAII, ET AL.

02-321 MACHIPONGO LAND & COAL CO. V. PENNSYLVANIA, ET AL.

02-328 LIPKO, ANDREW V. CHRISTIE, MARGARET

02-329 MONTS, DAVID A. vs. LSU BD. OF SUPVS., ET AL.

02-333 TCI MEDIA SERVICES, ET AL. V. COLE, PATRICIA A., ET AL.

02-334 FALLO, SCOTT, ET UX. V. PICCADILLY CAFETERIAS, INC.

02-339 ) UNANUE, LILIANE V. GOYA FOODS, INC.

)

02-366 ) UNANUE-CASAL, ULPIANO V. GOYA FOODS, INC.

02-349 ROWE, HARLEY E. V. ELYRIA, OH, ET AL.

02-350 SALVADOR, JOHN, ET UX. vs. LAKE GEORGE PARK COMM'N

02-353 CARRASCO, LOUIE V. ARIZONA

02-363 BASSETT, DARLENE M. V. AMERICAN GENERAL FINANCE

02-364 TAUBER, LASZLO N., ET AL. V. VIRGINIA, EX REL. KILGORE

02-368 SOOKDEO-RUIZ, CHANARDAI V. GCI GROUP

02-379 ROSS, HOWARD V. FORD, LOIS, ET AL.

02-380 MIRANDA, IBRAHN B. V. CASTRO, WARDEN, ET AL.

02-385 SMITH, BRUCE, ET UX. V. BLUE, BYRON K., ET AL.

02-416 WISEHART, ARTHUR M. V. KELLWOOD CO.

02-420 ESTATE OF HUTCHINSON V. MI DEPT. ENVTL. QUALITY

02-441 JACKSON, JAMIE V. DORMIRE, SUPT., JEFFERSON

02-445 GILMORE, WILLIAM C. V. UNITED STATES

02-453 HORTON HOMES, INC. V. WHEELER, GLORIA

02-472 ROBINS, BRIAN D. V. WISCONSIN  
02-490 BURNS, AARON S. V. McFADDEN, WARDEN, ET AL.  
02-494 EDWARDS, MYRA R. vs. DEPT. OF AIR FORCE, ET AL.  
02-503 LAYMAN, ZEKE V. UNITED STATES  
02-513 MUELLER, ROBERT V. CIR  
02-518 SPRY, MARVIN V. UNITED STATES  
02-535 COLE, TERESA A. V. LAWS, ALLEN, ET AL.  
02-538 KENDALL, ALVIN L. V. UNITED STATES  
02-5058 MENDOZA, JAMES R. V. UNITED STATES  
02-5185 MARTIN, ERNEST V. MITCHELL, WARDEN  
02-5334 MADLEY, RONALD V. U.S. PAROLE COMMISSION  
02-5538 VISCIOTTI, JOHN L. V. WOODFORD, WARDEN  
02-5548 GUAGLIARDO, THOMAS L. V. UNITED STATES  
02-5701 TIMMONS, CLIFFORD V. UNITED STATES  
02-6003 RIVERS, MICHAEL K. V. AVIS CONST. CO., ET AL.  
02-6015 QADIR, MUQTASID A. V. COCKRELL, DIR., TX DCJ  
02-6016 STEWART, DALE R. V. INDIANA  
02-6018 RANDOLPH, DANIEL V. COCKRELL, DIR., TX DCJ  
02-6020 ROBINSON, DAVID A. V. CONROY, WARDEN, ET AL.  
02-6022 PEREZ, MARCUS V. PENNSYLVANIA  
02-6024 BELTRAN, JAIME E. V. SMITH, WARDEN  
02-6026 McDANIEL, WAYMOND B. V. MOORE, SEC., FL DOC, ET AL.  
02-6030 LEWIS, EDWIN D. V. CURTIS, WARDEN  
02-6032 STEELE, DAVID Q., ETC. V. HOOD RIVER COUNTY, OR  
02-6044 PRINCE, PATRICK V. BRILEY, KENNETH  
02-6046 SMITH, JEWELL V. LONG, MILES, ET AL.  
02-6047 HARLOW, BARBARA, ET AL. V. RIVERSIDE CTY. SOC. SERVICES

02-6051 MOSLEY, CHARLES R. V. THOMPSON, KENNETH, ET AL.  
02-6054 JAUBERT, JAMES H. V. TEXAS  
02-6059 MANN, LEROY E. V. NORTH CAROLINA  
02-6061 CORBETT, JESSE J. V. McDADE, WARDEN  
02-6077 MYERS, BILLY R. V. ALABAMA  
02-6081 SCHOMMER, DARRELL D. V. COCKRELL, DIR., TX DCJ  
02-6082 McCOY, BILLY M. V. LOUISIANA  
02-6086 THOMPSON, TWYLA V. KELCHNER, SUPT., MUNCY  
02-6099 DEAL, JACK L. V. NELSON, WARDEN, ET AL.  
02-6107 SCHLEIGH, EDWARD V. COURT OF COMMON PLEAS  
02-6108 ROBINSON, TERRY L. V. NORTH CAROLINA  
02-6110 BROWN, NORMAN O. V. MILWAUKEE COUNTY, WI  
02-6112 YATES, MARVIN R. V. TEXAS  
02-6116 SCIBILIA, JENNIFER R. V. YUKINS, WARDEN  
02-6123 YEKIMOFF, SERGEY V. NEW YORK  
02-6129 PEARSON, CURTIS V. FINN, JIM, ET AL.  
02-6130 PAYNE, RICHARD W. V. COCKRELL, DIR., TX DCJ  
02-6131 PRITCHETT, BRIAN K. V. SNYDER, DIR., IL DOC, ET AL.  
02-6133 TINSLEY, STANLEY V. KEMNA, SUPT., CROSSROADS  
02-6134 BROADES, RODNEY J. V. POPPELL, WARDEN, ET AL.  
02-6138 CENTOBENE, JAMES R. vs. CA COURT OF APPEAL, ET AL.  
02-6145 BOONE, JAMES V. TEXAS  
02-6153 TAYLOR, ERIC W. V. WITHROW, WARDEN  
02-6154 THOMAS, RONALD A. V. MOORE, SEC., FL DOC, ET AL.  
02-6155 DAVIS, SAMUEL V. McGINNIS, SUPT., SOUTHPORT  
02-6159 MORRISON, GENE V. ILLINOIS  
02-6173 LAPE, BRIAN R. V. COCKRELL, DIR., TX DCJ

02-6177 JOHNSON, LESLIE W. V. TOLLEY, SHAWN, ET AL.  
02-6182 LYONS, CORELIUS V. BATTLES, WARDEN  
02-6184 CRUTCHER, BYRON E. V. USDC NV  
02-6186 WIDELL, KARL, ET AL. V. BREMERTON, WA  
02-6188 NORMAND, THOMAS V. LOUISIANA  
02-6189 PRICE, KENNETH V. DEPT. OF JUVENILE JUSTICE  
02-6193 WINKE, JAMES B. V. WINKE, MARILYN A.  
02-6194 WORLEY, ALFRED F. V. MITCHELL, CORR. ADM'R IV  
02-6196 OBADELE, IMARI A. V. COCKRELL, DIR., TX DCJ  
02-6199 TUCKER, L. T. vs. KARBER, STEVEN, ET AL.  
02-6204 SNYDER, TOMAS A. V. ALABAMA  
02-6205 RUSSELL, ISIAH V. ROE, WARDEN  
02-6206 RODRIGUEZ, TIMOTHY J. V. CALIFORNIA  
02-6210 LaCOUR, TORANCE W. V. OKLAHOMA  
02-6213 SAUVE, LAURIE E. V. METHODIST HOSPITAL  
02-6216 GLYNN, JAMES H. V. FLORIDA  
02-6217 BLAY, DENNIS M. V. COLORADO  
02-6220 ROBLES, BLUE F. V. THOMPSON, SUPT., COLUMBIA  
02-6223 RICHARDSON, VERA V. NY DOC, ET AL.  
02-6225 WATSON, JOHANSON L. V. COCKRELL, DIR., TX DCJ  
02-6226 WESLEY, CALVIN J. V. MOORE, SEC., FL DOC  
02-6238 WARREN, BENJAMIN V. UNITED STATES  
02-6241 FITZGERALD, DESHANNON V. WITHROW, WARDEN  
02-6245 BELL, CORY V. ILLINOIS  
02-6254 MEDEL, FRANK V. GALETKA, WARDEN, ET AL.  
02-6267 JANOE, BOBBY S. V. SUPERIOR COURT OF CA, ET AL.  
02-6274 PERRY, CLARENCE J. V. ANGELONE, DIR., VA DOC

02-6287 ELLEN J. V. SONOMA CTY. HUMAN SERV.  
02-6295 SEPEDA, PAUL R. V. COCKRELL, DIR., TX DCJ  
02-6304 WALKER, RANDY R. V. GRANT, DONALD, ET AL.  
02-6332 HANSEN, THOR H. V. SMITH, HORACE B.  
02-6340 TAYLOR, EVERTON V. WISCONSIN  
02-6346 LEKAS, CHRISTOPHER V. ILLINOIS  
02-6353 COLE, RICHARD A. V. PENNSYLVANIA, ET AL.  
02-6361 SMULLS, HERBERT V. MISSOURI  
02-6362 DIANNE C. V. SONOMA CTY. HUMAN SERVICES  
02-6385 WILLIAMS, JESSIE D. V. JOHNSON, COMM'R, MS DOC  
02-6402 O'LEARY, JOHN V. USDC HI  
02-6413 TAYLOR, WARREN A. V. POTTER, POSTMASTER GEN.  
02-6415 APARICIO-CRUZ, CARLOS V. UNITED STATES  
02-6417 BEY, JOSEPH B. V. UNITED STATES  
02-6432 BRADSHAW, WILLARD H. V. UNITED STATES  
02-6441 FORD, CHARLES V. FLORIDA  
02-6457 SMITH, JAMES S. V. UNITED STATES  
02-6461 AGUILAR-MORENO, DANIEL V. UNITED STATES  
02-6465 GARCIA-TORRES, MARIANO V. UNITED STATES  
02-6483 HOLMES, MITCHELL D. V. NORTH CAROLINA  
02-6507 TAYLOR, TERENCE V. HAWK SAWYER, DIR., BOP  
02-6527 WHITE, MARVIN V. BARNHART, COMM'R, SSA  
02-6528 WASHINGTON, CONCHITA V. UNITED STATES, ET AL.  
02-6531 CARROLL, RONALD J. V. GOAD, LORIE, ET AL.  
02-6542 SMITH, RODNEY A., ET AL. V. UNITED STATES  
02-6543 SMITH, ALEXANDER V. UNITED STATES  
02-6544 SALGADO, FRANCISCO V. UNITED STATES



02-6546 BROOKS, HARLIN V. UNITED STATES  
02-6555 MILTON, GREGORY A. V. UNITED STATES  
02-6558 MARTINEZ, MARK V. UNITED STATES  
02-6559 KING, LADON K. V. UNITED STATES  
02-6563 FAJARDO, DORA V. UNITED STATES  
02-6566 GARCIA, JESUS V. UNITED STATES  
02-6569 OLVIS, ANTHONY L. V. UNITED STATES  
02-6571 FASSLER, LAWRENCE A. V. PENDLETON, WARDEN  
02-6579 WALLACE, RUEL A. V. UNITED STATES  
02-6581 ALLEN, JOHN B. V. UNITED STATES  
02-6588 ELLISON, JIMMIE L. V. UNITED STATES  
02-6589 DAVAGE, GERALD D. V. UNITED STATES  
02-6599 LEOPARD, EDMOND L. V. UNITED STATES  
02-6600 JACKSON, MELVIN O. V. UNITED STATES  
02-6602 POSEY, LISTON R. V. UNITED STATES  
02-6605 LESTER, JANET E. V. UNITED STATES  
02-6606 MARTINEZ-VACA, MARIA J. V. UNITED STATES  
02-6609 O'DONALD, DAVID V. PEREZ, WARDEN  
02-6610 POLK, TERNARD A. V. UNITED STATES  
02-6613 KOENIG, BRUCE W. V. MARYLAND  
02-6614 SIMON, ELLIOT V. UNITED STATES  
02-6617 ADDISON, CURTIS A. V. UNITED STATES  
02-6620 RAYSOR, UMEME V. UNITED STATES  
02-6621 SANCHEZ-SANDOVAL, LUCAS G. V. UNITED STATES  
02-6623 DIAZ, GUILLERMO V. UNITED STATES  
02-6625 JOSEPH, RONY V. UNITED STATES  
02-6629 NAVARRETE-LANDA, HILDA V. UNITED STATES

02-6630 CRUM, JEFFREY A. V. UNITED STATES  
02-6632 DUFFY, DANTE X. V. UNITED STATES  
02-6633 COOK, CHARLES W. V. UNITED STATES  
02-6635 SHINGLER, MICHAEL V. UNITED STATES  
02-6636 HILL, SAMUEL L. V. UNITED STATES  
02-6637 HODULIK, DANIEL J. V. UNITED STATES  
02-6638 HICHEZ, JOHANSON V. UNITED STATES  
02-6641 FAST, DALLAS J. V. UNITED STATES  
02-6644 HARRISON, DARROL J. V. UNITED STATES  
02-6646 FRIAS-CASTRO, SAMUEL V. UNITED STATES  
02-6649 BRANGO, ALBERT J. V. UNITED STATES  
02-6650 PEREZ, LOUIS V. UNITED STATES  
02-6662 FYE, DAVID J. V. UNITED STATES  
02-6663 FRENCH, JAMES T. V. UNITED STATES  
02-6667 MARTINEZ, ALAN M. V. UNITED STATES  
02-6668 WATSON, EDDIE L. V. UNITED STATES  
02-6669 ZUNIGA, JOSE D. V. UNITED STATES  
02-6670 AIKEN, WILLIE V. DODRILL, WARDEN  
02-6672 VILLANUEVA, ALFREDO V. UNITED STATES  
02-6680 SMILEY, KEITH V. UNITED STATES  
02-6681 DOBY, HAROLD L. V. UNITED STATES  
02-6682 INMAN, MARY D. V. UNITED STATES  
02-6686 TRENNELL, CALVIN V. UNITED STATES  
02-6690 WRIGHT, DANNY L. V. UNITED STATES  
02-6692 TANOUIE, DJON B. V. UNITED STATES  
02-6694 LUTZ, DANIEL V. UNITED STATES  
02-6751 THROWER, ALBERT D. V. OHIO

02-6756 GOMEZ-GALVAN, BULMARO V. UNITED STATES

02-6773 MORGAN, FITZ A. V. UNITED STATES

02-6783 MARQUEZ-CARREON, RODOLFO V. UNITED STATES

The petitions for writs of certiorari are denied.

02-295 GAGNON, WILLIAM E. V. SPRINT CORP., ETC., ET AL.

The motion of petitioner for leave to proceed as a veteran is granted. The petition for a writ of certiorari is denied.

02-330 WALLS, WARDEN V. WRIGHT, PATRICK H.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

02-5019 POWELL, DAVID L. V. TEXAS

The petition for a writ of certiorari is denied. Justice Breyer would grant certiorari.

02-6006 AHMED, VIQUAR V. COCA COLA BOTTLING, ET AL.

The petition for a writ of certiorari is denied. Justice Breyer took no part in the consideration or decision of this petition.

02-6101 MOORE, GARRY L. V. MISSISSIPPI

02-6190 WINKE, JAMES B. V. WINKE, MARILYN A.

02-6191 WINKE, JAMES B. V. IOWA DISTRICT COURT

02-6228 EURY, MUHAMMAD A. S. vs. MR. SMITH

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8.

02-6310 JOHNSON, JOHNATHAN V. TREMPER, K., ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Stevens dissents. See *id.*, at 4, and cases cited therein.

#### HABEAS CORPUS DENIED

02-6658 IN RE CARLOS LARON HEWITT

02-6701 IN RE BOBBY EARL KEYS

02-6753 IN RE RONALD CAMERON

02-6804 IN RE JODY E. ALLEN

02-6832 IN RE JIMMY HARRIS

The petitions for writs of habeas corpus are denied.

02-6714 IN RE ARNOLD DEAN ADKINS

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of habeas corpus is dismissed. See Rule 39.8.

**MANDAMUS DENIED**

02-6171 IN RE GARY M. PORTER

02-6718 IN RE MICHAEL ALLEN DUNN

The petitions for writs of mandamus are denied.

**PROHIBITION DENIED**

02-325 IN RE SERGEY SELYUKOV AND ELVIRA ZDERCHUCK

The petition for a writ of prohibition is denied.

**REHEARINGS DENIED**

01-9124 HAYES, BENNIE L. V. COCKRELL, DIR., TX DCJ

01-9207 CARRIO, NORMAN E. V. COCKRELL, DIR., TX DCJ

The petitions for rehearing are denied.

**RECESS ORDER**

The Court will take a recess from Monday,  
November 18, 2002, until Monday, December 2, 2002.